

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

JAMES LEE JACKSON  
ADC #130514

PETITIONER

V.

NO. 5:12cv00461-BSM-JTR

RAY HOBBS, Director,  
Arkansas Department of Correction

RESPONDENT

ORDER

In response to Respondent's Motion to Dismiss this § 2254 action, Petitioner argues that any untimeliness should be excused because he has "newly discovered evidence" of his innocence, *i.e.*, a notarized affidavit from an alleged eyewitness that Petitioner recently obtained "after years of searching and investigating." (Docket entry #8, at 2, 5.)

Respondent is directed to file, on or before May 6, 2013, a Reply to Petitioner's argument.

DATED THIS 5<sup>th</sup> DAY OF April, 2013.

  
UNITED STATES MAGISTRATE JUDGE